

REMARKS

This Application has been carefully reviewed in light of the Final Office Action dated July 27, 2007 (the "*Final Office Action*"). At the time of the *Final Office Action*, Claims 1-46 are pending in the Application and Claims 10-34 are withdrawn. The Examiner rejects Claims 1-9 and 35-46.

In the previous Response to Office Action filed on April 13, 2007 ("*Previous Response*"), Applicant made several arguments providing specific examples of the deficiencies of the *Haseltine* reference with respect to Applicant's Claims 1- 9 and 35-46. Although Applicant disagrees with the Examiner's conclusion that Applicant's arguments were unpersuasive, Applicant has amended Claims 1 and 8 in this Response to Office action to advance prosecution of this case a this time. Applicant expressly reserves the right to file a continuation application to further argue and Appeal, if necessary, the claims in their form prior to amendment in this Response to Office Action.

As described below, Applicant believes all claims to be allowable over the cited references. Therefore, Applicant respectfully requests reconsideration and full allowance of all pending claims.

Consideration of Information Disclosure Statements

Applicant submitted Information Disclosure Statements to the PTO on March 26, 2001. To date, the Examiner has not provided an indication that the submitted references were considered by the Examiner. For the Examiner's convenience, Applicant has enclosed copies of the previously submitted IDS and PTO-1449 form. Additionally, Applicant has included a copy of the date-stamped postcard indicating the submission of the IDS. Applicant respectfully requests that the Examiner consider the cited references, if not already considered, and provide the appropriate indication that they have been considered by initialing next to the references on the PTO-1449 form.

Section 102 Rejections

The Examiner rejects Claims 1-7, 9, and 35-46 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0032143 issued to Haseltine (“*Haseltine*”).

A. Claims 1-7, 9, and 35-45

Independent Claim 1 of the present Application, as amended, recites:

A method for processing the returns of merchandise purchased through the World Wide Web comprising:

receiving, from a consumer, an electronic request via a computerized system associated with the consumer, the electronic request requesting to initiate processing of one or more items of merchandise purchased by the consumer in a prior purchase transaction;

in response to receiving the electronic request from the computing system associated with the consumer, gathering transaction history data associated with the consumer from a computerized database;

displaying the transaction history associated with the identified consumer to the consumer on the computerized system associated with the consumer, the transaction history identifying a listing of merchandise associated with the consumer;

in response to and after displaying the transaction history, receiving an electronic selection, generated by the consumer on the computerized system associated with the consumer, of a particular item of merchandise within the listing of merchandise in the displayed transaction history, the electronic selection comprising input into the computerized system; and

initiating a returns process in response to receiving the electronic selection.

Whether considered alone or in combination with any other cited references, *Haseltine* does not disclose, either expressly or inherently, each and every element of the claims.

For example, *Haseltine* does not disclose, teach, or suggest “receiving, from a consumer, an electronic request via a computerized system associated with the consumer, the electronic request requesting to initiate processing of one or more items of

merchandise purchased by the consumer in a prior purchase transaction,” as recited in Claim 1. Rather, *Haseltine* provides a “distributed network of point-of-return affiliates who will accept the e-tailer’s returns on a walk-in basis in such associate’s brick-and-mortar store.” (Page 2, paragraph 18). Specifically, *Haseltine* states:

The point-of-return associate 42 provides walk-in processing of the primary target’s request for return. The point-of-return associate reads or otherwise enters the immediate message given by the inventive bar-coded packing slip 26. Again, the immediate message might actually be a web request for the download of the more full record of the packing slip. However gotten, the *point-of-return associate* calls up the electronic packing slip. Unlike most paper packing slips seen nowadays, this inventive electronic packing slip includes precise information if not instructions to the point-of-return associate. Such information or instructions will guide *this point-of-return associate* on how to properly authorize the return of the given product of this e-tailer.

(Page 3, paragraph 35, emphasis added). Thus, and as shown by Applicant in the *Previous Response*, the very purpose of *Haseltine* is to provide a “point-of-return associate” at a third-party establishment for “walk-in processing” of a returned item. There is no disclosure of “a computerized system associated with the consumer,” as recited in Applicant’s Claim 1. Similarly, there is no disclosure of an “receiving, from a consumer, an electronic request via a computerized system associated with the consumer,” as recited in Claim 1. The recited elements are absent from the disclosure of *Haseltine*.

As another example, *Haseltine* does not disclose, teach, or suggest “in response to receiving the electronic request from the computing system associated with the consumer, gathering transaction history data associated with the consumer from a computerized database,” as recited in Claim 1. Since *Haseltine* does not disclose, teach, or suggest “an electronic request received from a computing system associated with the customer” (as discussed immediately above), it follows that *Haseltine* also cannot be said to disclose teach, or suggest “in response to receiving the electronic request from the computing system associated with the consumer, gathering transaction history data . . . ,” as recited in Applicant’s Claim 1. According to *Haseltine*, “[t]he point-of-return associate reads or

otherwise enters the immediate message given by the inventive bar-coded packing slip 26.” (Page 3, paragraph 0035). Thus, the **point-of-return associate** scans the bar code on the packing slip after being handed the packing slip from the customer. To the extent that information is retrieved by the point-of-return associate, it is merely the result of the **point-of-return associate** scanning the bar code on the packing slip. There is no disclosure in *Haseltine* of “**in response to receiving the electronic request from the computing system associated with the consumer**, gathering transaction history data associated with the consumer from a computerized database,” as recited in Claim 1.

As still a further example, *Haseltine* does not disclose, teach, or suggest “in response to and after displaying the transaction history, receiving an electronic selection, generated by the consumer on the computerized system associated with the consumer, of a particular item of merchandise within the listing of merchandise in the displayed transaction history, the electronic selection comprising input into the computerized system,” as recited in Applicant’s Claim 1. In the *Final Office Action*, the Examiner maintains:

The consumer through its agent 42 is read as causing a selection to be received by the association server 30 or bureau 44, the selection is read as the item, see, e.g., paragraph [0040], the selection of POKEMON of the one e-tailer rather than the other e-tailer and the subsequent transmission of the selected one of the POKEMON devices for return. Because the selection is inputted into a computer, it is read as an “electronic selection.”

(*Final Office Action*, page 9). Applicant continues to disagree with the Examiner’s conclusion that the return associate is an agent of the customer and that a selection by the agent is analogous to a selection received from the customer. However, even if the return associate could be considered an agent of the customer, there is no disclosure in *Haseltine* of “receiving an **electronic selection, generated by the consumer on the computerized system associated with the consumer**, of a particular item of merchandise within the listing of merchandise,” as recited in Applicant’s Claim 1. As stated above, the only computing system disclosed in *Haseltine* is associated with the brick and mortar store and is operated by the return agent. Accordingly, there can be disclosure of “receiving an **electronic selection, generated by the consumer on the computerized system**

associated with the consumer, of a particular item of merchandise within the listing of merchandise,” as recited in Applicant’s Claim 1. Additionally, since *Haseltine* discloses that the item is not displayed until **after** the scanning of the selected packing slip, Applicant respectfully submits that *Haseltine* cannot be said to disclose, teach, or suggest that any such selection by the consumer is **“in response to and after displaying the transaction history,”** as recited in Claim 1. The features and operations recited in Applicant’s claim language reciting, “in response to and after displaying the transaction history, receiving an electronic selection, generated by the consumer on the computerized system associated with the consumer, of a particular item of merchandise within the listing of merchandise in the displayed transaction history, the electronic selection comprising input into the computerized system,” are simply absent from the system of *Haseltine*.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1, together with Claims 2-7, 9, and 35-45 that depend on Claim 1.

B. Claim 46

Independent Claim 46 was added in the *Previous Response* and recites “receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer.” Claim 46 also recites “using the login information to complete a login process to identify the consumer.” The recited claim elements are not recited in independent Claims 1 and 8 or in any claim depending from Claims 1 and 8. Accordingly, Applicant respectfully submits that the recited elements have not been considered by the Examiner. As a result, the Examiner has not identified any reference as disclosing the claimed elements.

Despite this fact, the Examiner states in the *Final Office Action* that “the limitations of claim 46 are similar to the limitations of claim 1, therefore it is rejected based on the same rejection.” (*Final Office Action*, page 5). Thus, upon this first consideration of independent Claim 46, the Examiner has not indicated where *Haseltine*

discloses “receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer” or “using the login information to complete a login process to identify the consumer,” as recited in Claim 46. As a result, the *Final Office Action* provides Applicant with no understanding of the Examiner’s rationale for applying the disclosure of *Haseltine* to render the above-recited features and operations anticipated. The M.P.E.P. provides that “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03 (citing *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). By summarily rejecting Claim 46 with Claim 1, Applicant respectfully submits that the Examiner is not giving credence to each element of Claim 46. As such, because the Examiner has not shown where *Haseltine* discloses each and every element recited in Claim 46, Applicant submits that at least the rejection of Claim 46 under 35 U.S.C. § 102 is improper and should be withdrawn.

Additionally, Applicant respectfully submits that *Haseltine* does not disclose, teach, or suggest “receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer” and “using the login information to complete a login process to identify the consumer,” as recited in Applicant’s Claim 46. As summarized above, *Haseltine* merely discloses a “distributed network of point-of-return affiliates who will accept the e-tailer’s returns on a walk-in basis in such associate’s brick-and-mortar store.” (Page 2, paragraph 18). The return system disclosed in *Haseltine* uses “a distributed network of point-of-return affiliates who will accept the e-tailer’s returns on a walk-in basis in such associate’s brick-and-mortar store.” (Page 2, paragraph 18). Specifically, “the buyer orders a given product 20 or a set of products.” (Page 2, paragraph 25). “The e-tailer prepares (or has prepared) the order for shipment by what is called a fulfillment process 24.” (Page 2, paragraph 26). “During the fulfillment process, an inventive packing slip 26 is developed and applied to the given product.” (Page 2, paragraph 26). “Preferably, the inventive packing slip comprises a point-of-fulfillment

generated bar code” and “is affixed by any suitable means to as much of the product that comprises a discrete, returnable unit.” (Page 2, paragraph 26). When the purchaser desires to return the product, “[t]he point-of-return associate 42 provides walk-in processing of the primary target’s request for return.” (Page 3, paragraph 35). “The point-of-return associate reads or otherwise enters the immediate message given by the inventive bar-coded packing slip 26.” (Page 3, paragraph 35). Thus, the point-of-return associate 42 at the affiliated mailing enterprise receives the packing slip from the purchaser, and the point-of-return associate 42 reads or scans the barcode. Accordingly, there is no disclosure in *Haseltine* of “receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer” and “using the login information to complete a login process to identify the consumer,” as recited in Claim 46.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 46.

Section 103 Rejections

The Examiner rejects Claims 1-9 and 35-46 under 35 U.S.C. § 103(a) as being unpatentable over *Haseltine* in view of U.S. Patent No. 6,321,211 issued to Dodd (“*Dodd*”). Applicant respectfully traverses these rejections for the reasons stated below.

A. The Claims are Allowable over the Proposed *Haseltine-Dodd* Combination

First, Applicant continues to submit that the *Haseltine* and *Dodd*, do not disclose, teach, or suggest the elements recited in Applicant’s claims.

1. Claims 1, 2-7, 9, and 35-45

With regard to the Examiner’s rejection of Claim 1 under 35 U.S.C. § 102(e), Applicant has provided a detailed discussion of *Haseltine* above. Specifically, Applicant

has shown that *Haseltine* fails to disclose, teach, or suggest at least the following claim limitations recited in Claim 1:

- receiving, from a consumer, an electronic request via a computerized system associated with the consumer, the electronic request requesting to initiate processing of one or more items of merchandise purchased by the consumer in a prior purchase transaction;
- in response to receiving the electronic request from the computing system associated with the consumer, gathering transaction history data associated with the consumer from a computerized database; and
- in response to and after displaying the transaction history, receiving an electronic selection, generated by the consumer on the computerized system associated with the consumer, of a particular item of merchandise within the listing of merchandise in the displayed transaction history, the electronic selection comprising input into the computerized system.

Applicant further submits that the disclosure of *Dodd* does not make up for the identified deficiencies of *Haseltine*. Like *Haseltine*, *Dodd* also does not disclose, teach, or suggest the recited limitations.

Dodd merely discloses a system and method that provide “the ability for an online gift recipient to accept or exchange an online gift prior to shipping the gift to the recipient.” (Abstract). In particular, “[a]fter a gift has been selected and the gift giver has provided contact information for the recipient . . . , web server 433a typically sends a notification message to the recipient” of the online gift. (Column 9, lines 28-31). After receiving the notification, “[t]he recipient then connects to the gift server computer system 330 through the Internet 412 and either manually provides an identifier to the web server 433a or the web server 433a automatically determines the identifier that links or associates the recipient with the appropriate order information on the selected gift.” (Column 9, lines 35-41). According to the disclosure of *Dodd*, the webserver then displays one or more webpages to the recipient, which provide the recipient with details associated with the online gift and allow the recipient the options of accepting or exchanging the gift. (Column 9, lines 35-41; Column 11, lines 26-32; Figures 2A-2E). Thus, the recipient of an online gift merely clicks on one or more icons (Figure 2D, reference numeral 142;

Figure 2E, reference numerals 144 and 145) to view the online gift and accept or exchange the online gift. By allowing exchange of a gift before it is received, *Dodd* actually seeks to eliminate the return of items altogether. Accordingly, *Dodd* does not disclose, teach, or suggest the above recited limitation of Applicant's Claim 1.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1, together with Claims 2-7 and 9 that depend from Claim 1.

2. Claim 8

It continues to be Applicant's position that dependent Claim 8 recites elements that further distinguish the art. For example, Claim 8 recites "auctioning the merchandise selected for return by the consumer." The *Final Office Action* identifies neither *Haseltine* nor *Dodd* for disclosure of the recited claim elements. Rather, the *Final Office Action* states that *Haseltine* discloses "the problem with returns in that the customer and client may be separated by the entire breadth of the country making shipping for small products e.g. cookies (paragraph 0026) non cost effective." (*Final Office Action*, page 7). The *Final Office Action* further states that "it would be an obvious choice to try to sell the product for the best possible price so as not to incur a total loss and the old and notorious way of effecting this is the use of an auction." (*Final Office Action*, pages 7-8 and 9-10). Thus, in responding to the arguments made by Applicant in the *Previous Response*, the *Final Office Action* merely restates verbatim the prior rejection of Applicant's claim.

As such, it remains Applicant's position that the *Final Office Action* continues to misstate the disclosure of *Haseltine*. The portion of *Haseltine* relied upon by the examiner merely states that the "bar-coded packing slip is affixed by any suitable means to as much of the product that comprises a discrete, returnable unit." (Page 2, paragraph 26). As an example, *Haseltine* provides that "if the returnable unit comprises a box of cookies, then it is the box and not the cookies which are affixed with the bar code." (Page 2, paragraph 26). Thus, the portion of *Haseltine* relied upon by the Examiner merely indicates that the packing slip is attached to the box rather than to each individual cookie. There is no

disclosure in paragraph 26 of “the problem with returns is that the customer and client may be separated by the entire breadth of the country making shipping for small products, e.g. cookies (paragraph 0026) non cost effective,” as maintained by the Examiner. The Examiner is reading details into *Haseltine* that simply are not there. Accordingly, the portion of *Haseltine* relied upon by the Examiner does not provide the suggestion or motivation to modify *Haseltine* as the Examiner states. Certainly, *Haseltine* does not suggest that “it would be an obvious choice to try to sell the product for the best possible price so as not to incur a total loss and the old and notorious way of effecting this is the use of an auction,” as suggested by the Examiner. There is simply no disclosure in *Haseltine* or *Dodd* of “auctioning the merchandise selected for return by the consumer,” as recited in Claim 8. Further, it would not have been obvious to one of ordinary skill in the art at the time of Applicant’s invention to make such a modification of *Haseltine* as proposed by the Examiner.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 8.

3. Claim 46 is Allowable

As stated above, independent Claim 46 was added in the *Previous Response* and recites claim elements not recited in independent Claims 1 and 8 or in any claim depending from Claims 1 and 8. Accordingly, Applicant respectfully submits that the certain elements of Claim 46 have not been considered by the Examiner.

Despite this fact, the Examiner states in the *Final Office Action*, “Re [Claim 46] see above analysis.” (*Final Office Action*, page 8). Thus, upon this first consideration of independent Claim 46, the Examiner has not indicated where *Haseltine* or *Dodd* or how there proposed combination discloses “receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer” or “using the login information to complete a login process to identify the consumer,” as recited in Claim 46.

Accordingly, the *Final Office Action* provides Applicant with no understanding of the Examiner's rationale for applying the disclosures of *Haseltine* and *Dodd* to render the above-recited features and operations obvious. By summarily rejecting Claim 46 with Claim 1, Applicant respectfully submits that the Examiner is not giving credence to each element of Claim 46. As such, Applicant submits that at least the rejection of Claim 46 under 35 U.S.C. § 102 is improper and should be withdrawn.

Additionally, Applicant respectfully submits that the proposed *Haseltine-Dodd* combination does not disclose, teach, or suggest certain elements recited in Applicant's Claim 46. With regard to the Examiner's rejection of Claim 46 under 35 U.S.C. § 102(e), Applicant has provided a detailed discussion of *Haseltine* above. Specifically, Applicant has shown that *Haseltine* fails to disclose, teach, or suggest at least the following claim limitations recited in Claim 46:

- receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer; and
- using the login information to complete a login process to identify the consumer.

Applicant further submits that the disclosure of *Dodd* does not make up for the discussed deficiencies of *Haseltine*. Like *Haseltine*, *Dodd* also does not disclose, teach, or suggest the recited limitations.

As discussed above with regard to the *Final Office Action's* § 103(a) rejection of Claim 1, *Dodd* merely discloses that "[a]fter a gift has been selected and the gift giver has provided contact information for the recipient . . . , web server 433a typically sends a notification message to the recipient" of the online gift. (Column 9, lines 28-31). After receiving the notification, "[t]he recipient then connects to the gift server computer system 330 through the Internet 412 and either manually provides an identifier to the web server 433a or the web server 433a automatically determines the identifier that links or associates the recipient with the appropriate order information on the selected gift." (Column 9,

lines 35-41). According to the disclosure of *Dodd*, the webserver then displays one or more webpages to the recipient, which provide the recipient with details associated with the online gift and allow the recipient the options of accepting or exchanging the gift. (Column 9, lines 35-41; Column 11, lines 26-32; Figures 2A-2E). Thus, the recipient of an online gift merely clicks on one or more icons (Figure 2D, reference numeral 142; Figure 2E, reference numerals 144 and 145) to view the online gift and accept or exchange the online gift. Accordingly, *Dodd* also does not disclose, teach, or suggest "receiving login information from a consumer associated with the purchase of one or more items of merchandise, the login information received from a computerized system associated with the consumer" and "using the login information to complete a login process to identify the consumer," as recited in Claim 46.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 46.

B. The Proposed *Haseltine-Dodd* Combination is Improper

Second, assuming for purposes of argument that the proposed *Haseltine-Dodd* combination discloses the claim elements recited in Applicant's claims (which Applicant disputes above), Applicant continues to maintain that it would not have been obvious to one of ordinary skill in the art to make the proposed *Haseltine-Dodd* combination.

The *Final Office Action* again speculates that "it would have been extremely advantageous to incorporate the teachings of *Dodd* into the disclosure of *Haseltine* . . . the motivation being the ability to return a product without the need of going to a third party and the ability to allow a user to choose the mode of return e.g. return exchange etc." (*Final Office Action*, page 7). Thus, the *Office Action* has not cited any evidence of a teaching, suggestion, or motivation to combine or modify the teachings of *Haseltine* and *Dodd*. The Examiner's statement does not provide the required evidence of a teaching, suggestion, or motivation to combine or modify the references. This statement represents the subjective belief of the Examiner, does not point to any known authority, and therefore

is not based on objective evidence of record. It appears that the Examiner has merely proposed alleged advantages of combining *Haseltine* and *Dodd* (advantages which Applicant does not admit could even be achieved by combining these references in the manner the Examiner proposes). It is not sufficient to propose a modification to *Haseltine* based on the mere possibility that the modification might improve *Haseltine*. In other words, the advantages provided by the Examiner do not provide an explanation as to: (1) why it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention (*without using Applicant's claims as a guide*) to modify the particular techniques disclosed in *Haseltine* with the cited disclosures in *Dodd*; (2) how one of ordinary skill in the art at the time of Applicant's invention would have actually done so; and (3) how doing so would purportedly meet the limitations of the claims. Indeed, if it were sufficient for Examiners to merely point to a purported advantage of one reference and conclude that it would have been obvious to combine or modify that reference with other references simply based on that advantage (which, as should be evident from the case law discussed above, it certainly is not), then virtually any two or more references would be combinable just based on the fact the one reference states an advantage of its system. The Federal Circuit has made clear that this is not the law.

Furthermore, the Examiner ignores the very fact that the objectives of the *Dodd* and *Haseltine* systems are inconsistent with one another. Specifically, the very principle and purpose of the system disclosed in *Haseltine* is to provide "a distributed network of point-of-return affiliates who will accept the e-tailer's returns on a walk-in basis in such associate's brick-and-mortar store." (Page 2, paragraph 18). In fact, the system of *Haseltine* is specifically formulated to compete with Wal-Mart and other retailers that have "a widely distributed infrastructure of brick-and-mortar stores." (*Haseltine*, paragraph 15). The system is designed as an answer to e-tailers "that don't allow consumers to return products to physical stores" or "accept the returns in person." (*Haseltine*, paragraph 11). Thus, the system of *Haseltine* is centered around the user of a brick-and-mortar store who provides a staffed service of returns providers.

In contrast, the system of *Dodd* is designed to allow the recipient of an online gift the opportunity to select a replacement gift “prior to physically receiving the online gift” in an exchange transaction. (Column 2, lines 45-51). Thus, the very purpose of the *Dodd* system is to avoid situations where “the recipient still must receive the gift and physically return it when they are not satisfied with the gift.” (Column 1, lines 47-49). Thus, the user in *Dodd* never even receives a gift to return. Because the objectives of the *Dodd* and *Haseltine* systems are clearly inconsistent with one another, Applicant respectfully submits that one of ordinary skill in the art at the time of invention would not have been motivated to modify *Haseltine* in the manner proposed by the Examiner. It is improper for an Examiner to use hindsight having read the Applicant’s disclosure to arrive at an obviousness rejection. *In re Fine*, 837 F.2d 1071, 1075, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). It is improper to use the claimed invention as an instruction manual or template to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). The inconsistencies in *Haseltine* and *Dodd*, as identified by Applicant above, evidences the Examiner’s reconstruction of Applicant’s claims by using hindsight to piece together disjointed portions of analogous, but inconsistent references.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1, together with 1-7, 9, and 35-45 that depend from Claim 1. For analogous reasons, Applicant respectfully requests reconsideration and allowance of independent Claims 8 and 46.

ATTORNEY DOCKET NO.
067439.0111

PATENT APPLICATION
SERIAL NO. 09/817,353

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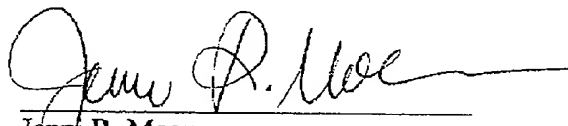
CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jenni R. Moen, Attorney for Applicant, at the Examiner's convenience at (214) 953-6809.

Applicant believes that no fees are due; however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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Date: September 25, 2007

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